

REMARKS

Appreciation is hereby expressed to the Examiner for the withdrawal of the rejection of the claims based on the Avrahami reference. In view of the newly cited Flower reference in the final rejection, Claims 1, 4 and 7 have been amended to more definitely set forth the invention and obviate the rejection on the Flower reference. Support for these amendments can be found in the Specification on page 8, lines 7-10, and page 9, lines 1-5. The present amendment is deemed not to introduce new matter. Claims 1-7 remain in the application.

Reconsideration is respectfully requested of the rejection of Claims 1-7 under 35 U.S.C. § 102(e) as being anticipated by Flower, 5,830,175.

In the rejection the Examiner mentions that the detection circuit for detecting the residual voltage includes a discharging resistor 70 coupled between output terminals. It is respectfully submitted that the resistor 70 functions to only monitor the electrical voltage drop (see column 5, lines 9-10), but it does not detect the reactive current as called for in the claims herein.

Moreover, in the rejection, the Examiner relies upon the Flower reference as disclosing a detection circuit for detecting a residual voltage. However, it is respectfully

submitted that the resistor 70 disclosed in the Flower reference is not arranged between the outputs of the electrical assemblies and, therefore, it is believed that the Flower reference does not include a detection circuit for detecting a residual voltage as called for in the claims herein.

In any event, independent Claims 1, 4 and 7 have each been amended to more clearly patentably distinguish from the Flower reference and obviate the rejection. First, these claims now require that the detection circuit for detecting a reactive current flowing through a capacity component of impedance of the transdermal or the transmucosal. This added passage in Claims 1, 4 and 7 is based on the description in the Specification on page 8, lines 7-10, which states:

"Rp, here, is a resistance component of
an equivalent circuit of the skin impedance
and Cp is a capacity component. Detection of
the reactive current is to measure a current
that flows through the impedance of the capacity
for AC current." (emphasis ours)

This description in the Specification of one preferred embodiment of the invention is believed to fully support this first newly added limitation in the claims.

Second, Claims 1, 4 and 7 have also been amended to now require that the detection circuit for detecting a residual voltage developed by the charge remaining in a capacity component of impedance of the transdermal or the transmucosal.

Third, Claims 1, 4 and 7 have also been amended to now require that the detection circuit operate during an off-period of an output. Support for the second and third limitations added to these claims can be found in a description in the Specification of a preferred embodiment on page 9, lines 1-5, which states:

"when an intermittent current is used, a charge (voltage) is stored in the capacity of the skin by conducting the output, and the charge remains in the capacity during the off-period of the output and causes a voltage so that a residual voltage is measured". (emphasis ours)

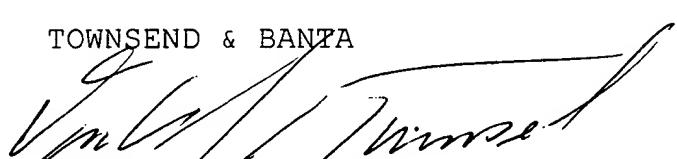
In view of the foregoing, it is respectfully submitted that the independent claims 1, 4 and 7 as amended clearly patentably distinguishes from the Flower reference for the reasons discussed above. Dependent Claims 2, 3, 5 and 6 likewise patentably distinguish from the Flower reference for the same reasons. Consequently, the Examiner would be justified in no longer

maintaining the rejection. Withdrawal of the rejection is accordingly respectfully requested.

In view of the foregoing, it is respectfully submitted that the application is now in condition for allowance, and early action and allowance thereof is accordingly respectfully requested. In the event there is any reason why the application cannot be allowed at the present time, it is respectfully requested that the Examiner contact the undersigned at the number listed below to resolve any problems.

Respectfully submitted

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Date: June 9, 2003

CERTIFICATE OF MAILING

I hereby certify that this Amendment and Transmittal, Serial No. 09/890,284, is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On June 9, 2003.

Donald E. Townsend

A handwritten signature in black ink, appearing to read "Donald E. Townsend". The signature is written over a horizontal line.